

1  
2 UNITED STATES DISTRICT COURT  
3 DISTRICT OF NEVADA

4 STEVEN ERIC GOULD,

Case No. 2:21-cv-02022-APG-NJK

5 Plaintiff

**ORDER**

6 v.

7 TRAVIS CHAPMAN, *et al.*,

8 Defendants  
9

10 **I. DISCUSSION**

11 Plaintiff initiated this case with a civil rights complaint and an old application to proceed  
12 *in forma pauperis*. Docket Nos. 1, 1-1. On November 15, 2021, this Court ordered Plaintiff to  
13 file a fully complete application to proceed *in forma pauperis* ("IFP application"), including  
14 current financial information, or pay the full \$402 filing fee for a civil action - on or before January  
15 11, 2022. Docket No. 3. On January 10, 2022, Plaintiff filed a motion for a court order to process  
16 payment. Docket No. 4. On February 7, 2022, Plaintiff filed exhibits to his motion. Docket No.  
17 5. The exhibits indicate that Plaintiff's request that the Nevada Department of Corrections  
18 ("NDOC") forward payment for the filing fee in this case was denied because Plaintiff failed to  
19 provide a case number. *Id.* at 2. Plaintiff appears to indicate in a grievance form that he did  
20 provide the case number. *Id.* at 3.

21 The Court cannot direct payment from NDOC; rather, Plaintiff must request payment from  
22 NDOC. As such, Plaintiff's motion for the Court to process his payment is denied. However, as  
23 it appears that the payment was not made due to an error, either on the part of Plaintiff or on the  
24 part of NDOC, the Court will grant Plaintiff **one final opportunity** to either pay the full \$402  
25 filing fee or submit a fully complete application to proceed *in forma pauperis* to the Court, on or  
26 before **May 16, 2022**. *See Henderson v. Duncan*, 779 F.2d 1421, 1424 (9th Cir. 1986) (providing  
27 that "district court need not exhaust every sanction short of dismissal before finally dismissing a  
28 case but must explore possible and meaningful alternatives").

1     **II.     CONCLUSION**

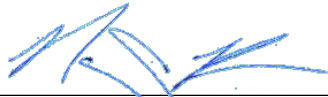
2             For the foregoing reasons, IT IS ORDERED that Plaintiff's motion for the Court to process  
3 his payment, Docket No. 4, is **DENIED**.

4             IT IS FURTHER ORDERED that the Clerk of the Court will send Plaintiff the approved  
5 IFP application by an inmate, as well as the document entitled information and instructions for  
6 filing an *in forma pauperis* application.

7             IT IS FURTHER ORDERED that, on or before **May 16, 2022**, Plaintiff must either: (1)  
8 file a fully complete IFP application, on the correct form with complete financial attachments in  
9 compliance with 28 U.S.C. § 1915(a); or (2) pay the full \$402 fee for filing a civil action (which  
10 includes the \$350 filing fee and the \$52 administrative fee).

11             IT IS FURTHER ORDERED that, if Plaintiff does not timely comply with this order, this  
12 case will be subject to dismissal without prejudice for Plaintiff to refile the case with the Court,  
13 under a new case number, when Plaintiff is able to submit a fully complete application to proceed  
14 *in forma pauperis* or pay the full \$402 filing fee for a civil action.

15             DATED: March 17, 2022

16  
17                               
18                             \_\_\_\_\_  
19                             NANCY J. KOPPE  
20                             UNITED STATES MAGISTRATE JUDGE  
21  
22  
23  
24  
25  
26  
27  
28